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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GIL CROSTHWAITE, et al.,

Plaintiffs,

v.

RYAN McCLURE EXCAVATION, INC.

Defendant.

Case No.: C08-2403 JSW

**REQUEST FOR CONTINUANCE OF
CASE MANAGEMENT CONFERENCE
AND ORDER THEREON**

Date: December 19, 2008

Time: 1:30 p.m.

Ctrm: 2, 17th Floor

Judge: The Honorable Jeffrey S. White

Saltzman & Johnson Law Corporation is counsel for Plaintiffs GIL CROSTHWAITE, et al. ("Plaintiffs"). Defendant Ryan McClure Excavation, Inc. ("Defendant") has not yet appeared in this action.

In July 2008, Defendant's counsel provided documents related to this action to Plaintiffs' counsel. In an effort to have sufficient opportunity to review the documents and meet and confer with Defendant's counsel, Plaintiffs' counsel requested a continuance of the Case Management Conference. After analyzing said documents, Plaintiffs' counsel requested additional documents in October 2008 which were believed to be in Defendant's possession and thus, counsel for the parties requested a continuance of the Case Management Conference.

On December 8, 2008, Defendant produced additional documents for review by Plaintiffs' counsel. Plaintiffs' counsel is still in the process of reviewing said documents and the parties will require sufficient time to discuss the pending claims in light of the additional information that has recently been provided. The parties expect that the additional information will assist in resolving

1 the dispute between the parties regarding the balance owed by the Defendant to Plaintiffs.
2 Plaintiffs anticipate that Defendant will either provide payment in a sum agreed to by the parties or
3 enter into a stipulated judgment consisting of a payment plan.

4 Based on the foregoing, the parties respectfully request that the Case Management
5 Conference, currently scheduled for December 19, 2008, be continued for approximately sixty
6 (60) days to allow the parties ample opportunity to resolve their differences. It is furthermore
7 requested that all previously set deadlines and dates related to this case be continued as well.

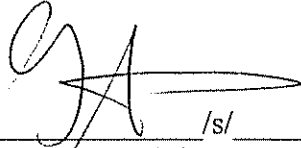
8 I declare under penalty of perjury that I am the attorney for the plaintiffs in the above
9 entitled action, and that the foregoing is true of my own knowledge.

10 Executed this 12th day of December, 2008, at San Francisco, California.

11 SALTZMAN & JOHNSON
12 LAW CORPORATION

13
14 By: _____/s/_____
15 Shaamini A. Babu
16 Attorneys for Plaintiffs

17 MURPHY, CAMPBELL, GUTHRIE & ALLISTON

18
19 By: /s/_____
20 George A. Guthrie
21 Attorneys for Defendant

22 IT IS SO ORDERED.

23 The currently set Case Management Conference is hereby continued to
24 February 27, 2009 at 1:30 p.m. All related deadlines are extended
25 accordingly.

26 Date: December 16, 2008

27 
28 United States District Court Judge